

App. No. 09/687,497  
Amendment

R E M A R K S

The claims have been amended without adding new matter in order to correct minor informalities and to address other issues raised by the Examiner. Claims 1, 7-8, 10, 13 and 14 have been amended. Eight claims remain pending in the application: Claims 1, 3, 6, 7-8, 10, 13 and 14. Reconsideration of claims 1, 3, 6, 7-8, 10, 13 and 14 in view of the amendments above and remarks below is respectfully requested.

Information Disclosure Statement

Applicants mailed a Supplemental Information Disclosure Statement (IDS) to the USPTO on July 28, 2005. Applicants request that the Examiner consider the references listed therein and return a copy of the signed Substitute Form PTO-1449 with the next paper for this application.

Allowable Subject Matter

Applicants acknowledge with appreciation the Examiner's indication that claims 1 and 7 would be allowable if rewritten to overcome the rejections under 35 U.S.C. § 112, second paragraph.

Applicants acknowledge with appreciation the Examiner's indication that claims 8 and 14 would be allowable if rewritten to overcome the rejections under 35 U.S.C. § 101.

Applicants assert that dependent claims 3, 6, 10 and 13 are also allowable by virtue of their dependence on the allowable independent claims.

App. No. 09/687,497  
Amendment

Claim Rejections- 35 U.S.C §101

Claims 8 and 14 are rejected under 35 U.S.C. 101 because the claimed invention is allegedly directed to non-statutory subject matter. Applicants respectfully traverse this rejection.

Applicants have amended claims 8 and 14 in the manner suggested by the Examiner in order to overcome this rejection. Dependent claims 10 and 13 have also been amended for consistency.

Claim Rejections- 35 U.S.C §112

Claims 1 and 7 are rejected under 35 U.S.C. §112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicants respectfully traverse this rejection.

Applicants have amended claims 1 and 7 in the manner suggested by the Examiner in order to overcome this rejection.

Fees Believed to be Due

No fees are believed to be due to file this response.

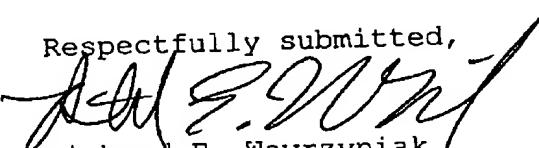
App. No. 09/687,497  
Amendment

CONCLUSION

By way of this response, Applicants have made a diligent effort to place the claims in condition for allowance. However, should there remain any outstanding issues that require adverse action, it is respectfully requested that the examiner telephone Richard Wawrzyniak at (858) 552-1311 so that such issues may be resolved as expeditiously as possible.

11/15/05

Respectfully submitted,

  
Richard E. Wawrzyniak

Reg. No. 36,048

Address all correspondence to:

FITCH, EVEN, TABIN & FLANNERY  
120 South LaSalle Street, Ste. 1600  
Chicago, IL 60603  
Tel. (858) 552-1311  
Fax (858) 552-0095

Direct telephone inquiries to:

Richard Wawrzyniak  
(858) 552-1311

433251\_1